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NOTICE OF ALLOWANCE AND FEE(S) DUE

34282

7590

07/18/2008

QUARLES & BRADY LLP
ONE SOUTH CHURCH AVENUE, SUITE 1700
TUCSON, AZ 85701-1621

EXAMINER

FAULK, DEVONA E

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 07/18/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/23,280

08/06/2001

John J. Lazzaroni

P6145.62004.

9036

TITLE OF INVENTION: MULTI-ACCESSORY VEHICLE AUDIO SYSTEM, SWITCH AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	10/20/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

34282 7590 07/18/2008

**QUARLES & BRADY LLP
ONE SOUTH CHURCH AVENUE, SUITE 1700
TUCSON, AZ 85701-1621**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/23,280 08/06/2001 John J. Lazzaroni P6145.62004. 9036

TITLE OF INVENTION: MULTI-ACCESSORY VEHICLE AUDIO SYSTEM, SWITCH AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$300	\$0	\$1020	10/20/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
FAULK, DEVONAE	2615	381-086000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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TUCSON, AZ 85701-1621

EXAMINER

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ART UNIT

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 819 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 819 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/923,280

Applicant(s)

LAZZERONI ET AL.

Examiner

DEVONA E. FAULK

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☐ The allowed claim(s) is/are ____.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

DETAILED ACTION

Response to Remarks

1. Claims 18,29 and 37 were objected to as being dependent upon a rejected claim but indicated as allowable subject matter if rewritten in independent form. The applicant has amended the independent claims to include the indicated allowable subject matter of claims 18,29 And 37. The examiner determined that an examiner;s amendment was necessary to place the remaining claims are in allowable form.
2. Claims 2,4,9,18,29 and 37 are cancelled.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dale F. Regelman (Reg. No. 45,625) on 6/19/08.

The claims are to be amended as follows:

Claim 1 should be amended to recite:

A multi-accessory motorcycle audio system comprising:
a plurality of audio accessories including a music source: a cellular telephone, a radar detection device, a microphone, and a geographic designation system; and an audio switching device comprising: an input section comprising a microphone audio signal path and a low pass filter signal path ~~in the microphone audio signal path~~, the low

pass filter having a low pass filter output, and interconnected with said plurality of audio accessories;

a switching section interconnected with said input section; a programmable controller comprising an instruction set comprising an instruction for comparing a microphone audio signal with said low pass filter output to obtain a ~~voice~~ voltage difference signal and an instruction for controlling the switching section in response to the ~~voice-voltage~~ difference signal, and interconnected with said input section and with said switching section and adapted to receive a plurality of audio signals from the input section, and to produce control signals based upon said instruction set;

wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output section interconnected with said switching section.

Claim 20 should be amended to recite:

A motorcycle audio system switching device for switching a plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone, and a geographic designation system;

an input section comprising a microphone audio signal path and a low pass filter signal path ~~in the microphone audio signal path,~~ the low pass filter having a low pass filter output, and interconnected with said plurality of audio accessories;

a switching section interconnected with said input section; a programmable controller comprising an instruction set comprising an instruction for comparing a microphone

audio signal with said low pass filter output to obtain a ~~voice~~ voltage difference signal and an instruction for controlling the switching section in response to the ~~voice~~ voltage difference signal, and interconnected with said input section and with said switching section and adapted to receive a plurality of audio signals from the input section, and to produce control signals based upon said instruction set;

wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal; an output section interconnected with said switching section.

Claim 31 should be amended to recite:

A method for switching signals in a motorcycle audio system interconnected to a plurality of audio accessories including a music source~ a cellular telephone, a radar detector, a microphone, and a geographic designation system, the method comprising: receiving a plurality of audio signals at an input section comprising a microphone audio signal path and a low pass filter signal path ~~in the microphone audio signal path~~, the low pass filter having a low pass filter output;

receiving the plurality of audio signals from the input section at a programmable controller comprising an instruction for comparing a microphone audio signal with said low pass filter output to obtain a ~~voice~~ voltage difference signal and an instruction for controlling the switching section in response to the ~~voice~~ voltage difference signal, and interconnected with said input section;

producing a control signal at the controller in response to an instruction set;

receiving the plurality of audio signals at a switching section interconnected with said input section;

receiving the control signal from the controller at the switching section; and

outputting an audio signal from the switching section in response to the received control Signal.

4.

Allowable Subject Matter

5. Claims 13,5-8,10-17,19-28 and 30-36 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding claims 1,20 and 31, the applicant's admitted prior art (hereafter AAPA) (page 1, line 1- page 2, line 16) discloses a multi-accessory motorcycle audio system (page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18) comprising: a plurality of audio accessories including a music source, a cellular telephone, a radar detection device, a microphone and a geographic designation system (page 1, lines 14-18 list examples of audio accessories available include am or fm radios, CB radios, stereos, intercoms, tape and compact disk players, general mobile communication devices, cellular phones, global positioning satellite systems and radar detectors and page 2, lines 7-9 teaches that motorcycles such as touring bikes are commonly equipped with many or all of the audio accessories noted on page 1, lines 14-18 and is also equipped with a headset microphone); and an audio switching device and a switching section (page 1, lines 21-

page 2, line 6). Prior art Ishigaki et al. (US 4,347,510) discloses an audio switching device (automatic switching apparatus 14, Figure 1; column 3, lines 7-8) comprising: an input section adapted to receive a plurality of signals from the plurality of signals from the plurality of vehicle audio accessories and to transmit the plurality of audio signals (input terminals 21-23, Figure 2; column 3, lines 10-12), a switching section interconnected with the input section (switching circuits 24-26; Figure 2; column 3, lines 11-16); a controller comprising an instruction set and interconnected with said input section and with said switching section and adapted to receive the plurality of audio signals from the input section and to produce control signals based upon said instruction set (memory circuit 30 reads on controller, Figure 2; Figure 3 illustrates the memory which output control signals CS1, CS2 and CS3; column 3, line 64-column 4, line 59; column 5, lines 13-30 teaches that the memory circuit 30 produces control signals as output so that, in response to one input signal, the switching circuit of the that input signal is closed and thereafter maintained in this state, but when an input signal subsequently arrives at another signal system, the switching circuit which has been first closed is opened, and the switching circuit of the system of the input Signal arriving later is closed); wherein said switching section is adapted to receive the plurality of audio signals from the input section, to receive the control signals produced by the controller, and to produce an output audio signal (Figure 2; column 3, line 64-column 4, line 67 discloses that the switching section, switching circuits 24-26, receives input signals from the input terminals and control signals produced by the memory and to produce an output audio signal); an output section interconnected with said switching section (pre-

amp 15, main amp 16 and speaker 17 read on output section, Figure 1; column 2, line 67-column 3, line 2). Prior art Furst et al. (US 6,316,713) discloses a switching apparatus that has a programmable controller (switching apparatus 12 has a drive apparatus 21 which has a programmable microprocessor with a memory, the drive apparatus 21 controlling the switching apparatus; column 4, line 61-column 5, line 13).

Regarding claims 1, 20 and 31 the prior art or combination thereof fails to disclose or make obvious comprising an instruction for comparing a microphone audio signal with said low pass filter signal path to obtain a voltage difference signal and an instruction for controlling the switching section in response to that voltage difference signal.

Therefore, the prior art or combination thereof fails to disclose or make obvious a multi-accessory motorcycle audio system, a motorcycle audio system switching device and a method for switching signals in a motorcycle audio system as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEVONA E. FAULK whose telephone number is (571)272-7515. The examiner can normally be reached on 8 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devona E. Faulk/
Examiner, Art Unit 2615

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2615